

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE CELEXA AND LEXAPRO )  
PRODUCTS LIABILITY LITIGATION )

MDL DOCKET NO. 1736  
ALL CASES

# MEMORANDUM AND ORDER

For the reasons stated on the record during today's hearing,

**IT IS HEREBY ORDERED** that defendant Forest Pharmaceuticals’ motion to dismiss plaintiff Kathleen Higgins’ second amended complaint [#162-1] is granted, and plaintiff Kathleen Higgins’ claims against defendant Forest Pharmaceuticals’ in Cause Number 4:06CV1098 are dismissed with prejudice.


**IT IS FURTHER ORDERED** that defendant Forest Pharmaceuticals' alternative motion to transfer [#162-2] is denied as moot.

**IT IS FURTHER ORDERED** that defendant Forest Laboratories' motion to dismiss plaintiff Kathleen Higgins' second amended complaint is denied [#133-1].

**IT IS FURTHER ORDERED** that defendant Forest Laboratories’ alternative motion to transfer [#133-2] Kathleen Higgins, Individually, and as Personal Representative of the Estate of Francis Krivicich, deceased vs. Forest Laboratories. Inc., Cause Number 4:06CV1098, is granted, and Kathleen Higgins,

Individually, and as Personal Representative of the Estate of Francis Krivicich,  
deceased vs. Forest Laboratories, Inc., is hereby transferred to the United States  
District Court for the Western District of Virginia.

**IT IS FURTHER ORDERED** that defendant Forest Laboratories' motion  
to dismiss [#138] Carmen Hill, individually, as next friend of Morgan Hill, a  
minor, and as personal representative of the Estate of Alan Hill, deceased vs.  
Forest Laboratories, Inc., Cause Number 4:06CV1812, is denied.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of May, 2007.